

A G E N D A



Recommendation for Council Action

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| Austin City Council | Item ID | 16745 | Agenda Number | 120. |
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| Meeting Date: | 8/2/2012 | Department: | Planning and Development Review |
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Subject

Conduct a public hearing and consider an appeal by David Whitworth of a decision by the Residential Design and Compatibility Commission (RDCC) denying a modification request for 2.8% increase in the allowable Floor-to-Area Ratio (FAR) for a two-story duplex at 5502 Jeff Davis Avenue.

Amount and Source of Funding

A fiscal note is not required.

Fiscal Note

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| Purchasing Language: | |
| Prior Council Action: | |
| For More Information: | John M. McDonald, 974-2728. |
| Boards and Commission Action: | Denied by the Residential Design and Compatibility Commission. |
| MBE / WBE: | |
| Related Items: | |

Additional Backup Information

The appellant, David Whitworth, is appealing the RDCC's denial of a modification request to increase the FAR 2.8% above the maximum allowable 40%.

Granting the appeal would allow the applicant to have a FAR of 42.8% (3,082 square feet), where the maximum FAR allowed is 40% (2,880 square feet).

Background and Basis for the Appeal

The appellant challenges the RDCC's decision to deny the increase in FAR based on four reasons alleged in his letter (attached) and summarized below:

1. The RDCC did not rule on the specific waiver request.
2. The RDCC misinterpreted the character of the area
3. There was zero opposition to the modification waiver request
4. The RDCC based their decisions on BOA guidelines

The appellant requests the RDCC's decision be overturned. The appellant requests that Council grant the modification request to build a two-story duplex with a 2.8% increase in FAR for the site.